

FIRST REGULAR SESSION
[PERFECTED]
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 76
97TH GENERAL ASSEMBLY

0477L.03P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 161.209 and 163.410, RSMo, and to enact in lieu thereof two new sections relating to Missouri school improvement program standards.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 161.209 and 163.410, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 161.209 and 163.410, to read as follows:

161.209. 1. The department of elementary and secondary education has an affirmative
2 duty to seek comment on its rules, regulations, and policies after their final approval or
3 implementation. The department shall undertake such review on existing rules, regulations, and
4 policies on an ad hoc, periodic basis with a priority given to such rules, regulations, and policies
5 that could successfully be revised without affecting student achievement to accommodate periods
6 when there is no increase in the appropriation for basic state aid funding pursuant to section
7 163.031 from one fiscal year to the next or when withholdings of appropriated funds result in a
8 situation equivalent to no increase in such appropriation.

9 2. For [fiscal years 2011, 2012, and 2013, if] **any fiscal year in which** the appropriation
10 for subsections 1 and 2 of section 163.031 is less than the annualized calculation of the amount
11 needed for [the phase-in required under subsection 4 for] that fiscal year or the appropriation for
12 transportation as provided in subsection 3 of section 163.031 is funded at a level that provides
13 less than seventy-five percent of allowable costs, the department shall not penalize any district
14 [undergoing its accreditation review] for a failure to meet resource standards under the Missouri
15 school improvement program. If the governor withholds funds for the school funding formula
16 basic apportionment under section 163.031 in [fiscal years 2011, 2012, and 2013] **any fiscal**
17 **year**, school districts [undergoing accreditation review] in the fiscal year following the fiscal

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 year of withholding shall not be penalized for failure to meet resource standards under the
19 Missouri school improvement program.

163.410. 1. Notwithstanding the provisions of section 163.021, in [fiscal years 2011,
2 2012, and 2013, if] **any fiscal year in which** the appropriation for subsections 1 and 2 of section
3 163.031 is less than the annualized calculation of the amount needed [for the phase-in required
4 under subsection 4 of section 163.031] for that fiscal year or the appropriation for transportation
5 as provided in subsection 3 of section 163.031 is funded at a level that provides less than
6 seventy-five percent of allowable costs, school districts shall be excused from compliance with:
7 (1) Spending funds for professional development as required under subsection 1 of
8 section 160.530; and
9 (2) The fund placement and expenditure requirements of subsection 6 of section
10 163.031.

11 2. If the governor withholds funds for the school funding formula basic apportionment
12 under section 163.031, in [fiscal years 2011, 2012, and 2013,] **any fiscal year following 2013,**
13 school districts shall be excused from compliance with the statutes listed in subsection 1 of this
14 section in the following fiscal year.

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